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Citation for published version:

Novenson, MV 2010, '"God is witness" a classical rhetorical idiom in its pauline usage', *Novum Testamentum: An International Quarterly for New Testament and Related Studies*, vol. 52, no. 4, pp. 355-375. <https://doi.org/10.1163/004810010X12591327956385>

Digital Object Identifier (DOI):

[10.1163/004810010X12591327956385](https://doi.org/10.1163/004810010X12591327956385)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

Novum Testamentum: An International Quarterly for New Testament and Related Studies

Publisher Rights Statement:

© Novenson, M. V. (2010). "God is witness" a classical rhetorical idiom in its pauline usage. *Novum Testamentum*, 52(4), 355-375doi: 10.1163/004810010X12591327956385

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“God Is Witness”

A Classical Rhetorical Idiom in Its Pauline Usage¹

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Abstract

Five times in the undisputed letters Paul invokes God as guarantor of the truth of a claim with a form of the phrase “God is witness.” Interpreters have long identified these sayings as self-imprecatory oaths after a pattern attested in the Hebrew Bible. In this article, I argue that the Pauline phrase “God is witness” is not a self-imprecatory oath at all, but rather a figure of speech with roots in the rhetoric of classical Greece and a long tradition in postclassical pagan, Jewish, and Christian literature. In this figure of speech, God is not testifying against Paul in case Paul should default on a promise; rather God is testifying for Paul that Paul’s character can be trusted.

Keywords: divine testimony; God; idiom; oath; Paul; rhetoric; witness

Five times in the undisputed letters Paul invokes God as guarantor of the truth of a claim with a form of the phrase θεὸς μάρτυς, “God is witness” (Rom 1:9; 2 Cor 1:23; Phil 1:8; 1 Thess 2:5, 10).² These sayings present a problem for interpretation in that their exact rhetorical force is not immediately clear; there is more than one way in which God might be understood

1) I am very grateful to George Parsenios and my anonymous reader at NovT, whose comments on earlier drafts of this article improved the argument at several places. Whatever deficiencies remain are entirely my own responsibility.

2) Twice Paul writes μάρτυς μου [ἐστίν] ὁ θεός, “God is my witness” (Rom 1:9; Phil 1:8); twice simply θεὸς μάρτυς, “God is witness” (1 Thess 2:5, 10); and once the more elaborate ἐγὼ δὲ μάρτυρα τὸν θεὸν ἐπικαλοῦμαι ἐπὶ τὴν ἐμὴν ψυχὴν, “I call upon God as witness upon my life” (2 Cor 1:23). The full text and context of each of these sayings are provided and discussed below. For the Pauline letters, I follow the Greek text of Kurt Aland et al., *Novum Testamentum Graece* (27th ed.; Stuttgart: Deutsche Bibelgesellschaft, 1993). All translations are my own unless otherwise noted.

to function as a witness in these contexts. A few interpreters of Paul have noticed this point of ambiguity, but no one has yet given close attention to the Greek rhetorical tradition of divine testimony as a plausible context for these Pauline sayings.³ This bibliographical anomaly provides the occasion for this article.

Methodologically, I follow that school of thought that Margaret Mitchell has called historical rhetorical criticism, which is to be distinguished from the New Rhetoric and other synchronic forms of analysis.⁴ In a variation on Mitchell's approach, I follow Stanley Stowers in applying historical rhetorical criticism not only to whole literary units but also to smaller forms.⁵ My thesis is that the Pauline phrase "God is witness" is not a self-imprecatory oath at all, but rather a figure of speech with roots in the rhetoric of classical Greece and a long tradition in postclassical pagan, Jewish, and Christian literature.⁶ In this figure of speech, God is not testifying against Paul in case Paul should default on a promise; rather God is testifying for Paul that Paul's character can be trusted.

1. Self-Imprecatory Oaths?

Commentators have long identified the Pauline "God is witness" sayings as self-imprecatory oaths after a pattern attested in the Hebrew Bible. For example, Ernst Käsemann comments on Rom 1:9 ("God is my witness . . . that unceasingly I remember you always in my prayers") that its literary

3) Commentators have usually pointed to Israelite oaths as parallels, while rhetorical critics have usually focused on other formal issues (especially τάξις or arrangement) rather than on particular figures of speech like this one.

4) See Margaret M. Mitchell, *Paul and the Rhetoric of Reconciliation: An Exegetical Investigation of the Language and Composition of 1 Corinthians* (Tübingen: Mohr Siebeck, 1991).

6: "The rhetoric of [Paul] will be studied in the light of the Greco-Roman rhetorical tradition which was operative and pervasive at the time of the letter's composition. Thus the resources drawn upon in reconstructing this rhetorical tradition are the ancient Greco-Roman handbooks, speeches and letters themselves." On the New Rhetoric, see Chaim Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation* (Notre Dame, Ind.: University of Notre Dame Press, 1969).

5) For a model of the micro-rhetorical-critical approach that I take here, see Stanley K. Stowers, *The Diatribe and Paul's Letter to the Romans* (SBLDS 57; Chico, Cal.: Scholars Press, 1981).

6) Per convention, and despite the ideological liabilities of the word, I use "pagan" as a shorthand term for the enormous variety of Greek and Roman cultural traditions that are neither Jewish nor Christian.

form is an "oath, which occurs in 1 Sam 12:6 LXX and which is a common formula in Paul."⁷ C.K. Barrett comments on the same verse that it represents "an Old Testament form of asseveration."⁸ Likewise, Gordon Fee writes about Phil 1:8 ("God is my witness that I long for you all in the affection of Christ Jesus") that it is a "mild oath" whose form "probably derives from the OT practice of calling on God as witness between two parties."⁹ Examples might be multiplied, but these are sufficient to illustrate a pattern of interpretation.¹⁰ According to this pattern of interpretation, when Paul says, "God is my witness," what he means is, "May God testify against me if what I am saying is false."

There is certainly precedent for such an idiom in the Hebrew Bible.¹¹ Distributed across the Torah, Prophets, and Writings are a number of

7) Ernst Käsemann, *Commentary on Romans* (Grand Rapids: Eerdmans, 1980) 18.

8) C.K. Barrett, *A Commentary on the Epistle to the Romans* (HNTC; New York: Harper & Row, 1957) 24.

9) Gordon D. Fee, *Paul's Letter to the Philippians* (NICNT; Grand Rapids: Eerdmans, 1995) 93-94.

10) More recent examples include Frank J. Matera, *II Corinthians: A Commentary* (NTL; Louisville: Westminster John Knox, 2003) 57; Robert Jewett, *Romans: A Commentary* (ed. Eldon Jay Epp; Hermeneia; Minneapolis: Fortress, 2007) 120; Victor Paul Furnish, *1 Thessalonians, 2 Thessalonians* (ANTC; Abingdon: Nashville, 2007) 55; John Reumann, *Philippians: A New Translation with Introduction and Commentary* (AYB 33b; New Haven: Yale University Press, 2008) 120-121. The traction of this interpretation is due in part to Gustav Stählin's oft-cited 1962 article in this journal: "Zum Gebrauch von Beteuerungsformeln im Neuen Testament," *NovT* 5 (1962) 115-143, here 132: "Mit dieser Art von Selbstrechtfertigung vor den Seinen... tritt Paulus in die Fussstapfen Samuels [1 Sam

12:5]. Die hier skizzierte Szene zeigt zugleich den juristischen Vorgang, in dem die Formel $\mu\acute{\alpha}\rho\tau\upsilon\varsigma\ \mu\omicron\upsilon\ \acute{\omicron}\ \theta\epsilon\acute{\omicron}\varsigma$ ihren Ursprung hat. Verwandt mit ihr sind auch die Formeln der Vertragsszenen in [Gen 31:50; 1 Sam 20:23, 42; Judg 11:10; Josh 22:22]. . . . Paulus steht mit seinem Zeugenauftritt Gottes also einerseits ganz auf dem Boden des Alten Testaments."

11) But not only in the Hebrew Bible. For a parallel in classical Greek tragedy, cf. Euripides, *Hipp.* 1028-1031: ἢ τᾶρ' ὀλοίμην ἀκλεῆς ἀνώνυμος/[ἄπολις ἄοικος, φυγὰς ἀλητεῶν χθόνα,]/καὶ μήτε πόντος μήτε γῆ δέξαιτό μου/σάρκας θανόντος, εἰ κακὸς πέφυκ' ἀνὴρ, "May I perish with no name or reputation,/[citiless, homeless, wandering the earth an exile]/and may neither sea nor earth receive/my body when I am dead if I am guilty!" (text and trans. David Kovacs, Euripides [LCL; Cambridge, Mass.: Harvard University Press, 1995]). On ancient Greek oaths, see the forthcoming findings of the Oath in Archaic and Classical Greece Project at the University of Nottingham: *The Oath in Archaic and Classical Greece* (ed. Alan H. Sommerstein et al.; Berlin: De Gruyter, ca.

2011). As Sommerstein points out, formal Greek oaths, like Israelite ones, invariably include a conditional self-imprecation, either explicit (μὰ Δία, "by Zeus!"; μὰ τοὺς θεοὺς, "by the gods!") or implicit (ναὶ μὰ τόν, "surely, by [Zeus]!"; ὅμνυμι, "I swear").

instances in which people appeal to God as a witness between or against parties in the striking of promissory agreements. So in Gen 31:50, Laban makes a pact with Jacob saying, “If you abuse my daughters, or if you take wives in addition to my daughters, although no one is with us, see, God is witness between me and you (מִיְהוָה דַּע יָנִיב רְנִיבוֹ).”¹² The sense of the statement מִיְהוָה דַּע, “God is witness,” is determined by the conditional clause מֵאָחַת . . . , “If you abuse . . . and if you take”; that is, God will testify against Jacob in case Jacob should violate the agreement.

Likewise in Jeremiah 42, in the wake of the Babylonian conquest of Judah, the remnant of the people ask Jeremiah what they should do, promising to abide by whatever word God sends: וְנִמְאָנוּ מֵאֵל לֵכָךְ רַבְדָּה רָשָׁא רְחִלְשִׁי הוּאִי רִיְהוֹלָא וְנִילָא וְכִן הִשְׁעֵנִי הוּאִי וְנִבֵּן דַּעַל תְּמָא: “May YHWH be a true and faithful witness against us if we do not act according to all the word with which YHWH your God sends you to us” (Jer 42:5). The Greek translator renders the expression very closely: ἔστω κύριος ἐν ἡμῖν εἰς μάρτυρα δίκαιον καὶ πιστόν, εἰ μὴ κατὰ πάντα τὸν λόγον ὃν ἂν ἀποστείλῃ σε κύριος πρὸς ἡμᾶς οὕτως ποιήσομεν (Jer 49:5 LXX). Here, as in the oath between Laban and Jacob, God is invoked as witness against a party in case that party should fail to carry out a promised future course of action (MT מֵאֵל הִשְׁעֵנִי; LXX εἰ μὴ ποιήσομεν; “if we do not do”).¹³

In 1 Sam 20:12 the same idiom is implied, albeit without the word דַּע, “witness.” There Jonathan promises David that he will inquire after his father Saul’s attitude toward David, saying, וְיָבֹא הוּאִי יְהוֹלָא לְאַרְשִׁי יְכִי רִקְחָא תָא, literally “YHWH the God of Israel, that I will sound out my father.”

12) For the MT, I follow the text of Codex Leningrad as printed by K. Elliger and W. Rudolph, *Biblia Hebraica Stuttgartensia* [5th ed.; Stuttgart: Deutsche Bibelgesellschaft, 1997]. For the LXX, I follow the Greek text of Alfred Rahlfs, *Septuaginta* (2 vol.; Stuttgart: Deutsche Bibelgesellschaft, 1979). Gen 31:50 LXX has a minus here, lacking an equivalence for the clause. (Per the SBL Handbook of Style, I will use LXX to refer not only to the Greek Pentateuch but also to the principal Greek translations of the other Jewish scriptures.)

13) Judg 11:10 may also be relevant here. There the Gileadites accept Jephthah’s terms for going to war against the Ammonites saying, הוּאִי הִיְהִי עֲמָשׁ וְנִיתוּנִיב מֵאֵל אֵל כְּרַבְדָּכ וְכִן הִשְׁעֵנִי, “YHWH will be a hearer between us if we do not do according to your word” (Judg 11:10). It is significant that this passage does not use דַּע, “witness,” but rather the qal participle of עָמַשׁ, “to hear”; so either, if substantive, “YHWH will be a hearer” (cf. LXX κύριος ἔσται ὁ ἀκούων), or, if periphrastic, “YHWH will hear.” The NRSV translates, “The LORD will be witness,” but when עָמַשׁ is used elsewhere in judicial contexts, the person who does the hearing is not the witness but rather the judge (as in “to hear a case” [cf. Deut 1:17; 2 Sam 14:17; 1 Kgs 3:11; Job 31:35]). If so, then God is perhaps not a witness at all in this passage.

The Greek translator supplies the verb οἶδεν, so: κύριος ὁ θεὸς Ἰσραὴλ οἶδεν ὅτι ἀνακρινῶ τὸν πατέρα μου, "The Lord God of Israel knows that I will sound out my father" (1 Kgdms 20:12).¹⁴ In favor of reading this as an ellipsis for our oath formula is the following verse, where Jonathan adds a self-imprecation: הֲכִי הַשְׁעִי הוּאִי נְתַנְוִהִיל הֲכִי יִסִּי, "May YHWH do the same to Jonathan, and even more," in case Jonathan should fail to alert David to danger from Saul's hand.¹⁵ Here, as in the instances cited above, God is named as witness to future acts to be undertaken in fulfillment of a promise. The form of the sayings is conditional: "if you mistreat my daughters," "if we do not do as you say," "if I do not inform you." If these circumstances should obtain, if one party should default on her promise, then God will be witness against that party that she is guilty.

In an extension of this idiom, there are a few places at which God is named as witness against a party not in case of future wrongdoing but rather for past wrongdoing. For example, Jeremiah's letter to Babylon in Jer 29:1-23 includes a condemnation of two false prophets, about whose many crimes the oracle says, יִכְנָאוּ עֵדִיוָה דְּעוּ מֵאֵן הוּאִי, "I am the one who knows, and I am witness, says YHWH" (Jer 29:23). Either due to a textual minus or a condensed translation, Jer 36:23 LXX lacks an equivalent for עֵדִיוָה, reading simply ἐγὼ μάρτυς φησὶν κύριος, "I am witness, says the Lord." The force of the idiom, however, is unaffected by this difference. God is a witness against these wrongdoers by virtue of his having knowledge of their crimes. This is also the sense of the prophetic oracles at Mic 1:2 ("Hear, all you peoples, listen, O earth and all that is in it, let the Lord YHWH be a witness against you [יְהִי יוֹדָא הוּאִי מִכָּב דְּעַל; LXX ἔσται κύριος ἐν ὑμῖν εἰς μαρτύριον]) and Mal 3:5 ("I will draw near to you for judgment, I will be a swift witness [יִתְיִיְהוּ דְּעַ רַהֲמָמָה; LXX ἔσσομαι μάρτυς ταχύς] against the sorcerers, against the adulterers," etc.). With Jer 29:23, these passages attest a form of the idiom used in oracles of judgment wherein God is spoken of as both judge and witness, both the executor of the sentence and the one who confirms the guilt of the guilty.

There are two possible exceptions to this otherwise consistent pattern. At 1 Sam 12:5, in Samuel's speech ceding authority to the newly crowned Saul, Samuel insists that he has been upright in all his dealings with

14) The RSV assumes an implied דַּע, "witness," so "The LORD, the God of Israel, be witness!" The NRSV, more economically, translates "By the LORD, the God of Israel!"

15) Rendered in the optative mood in 1 Kgdms 20:13: τάδε ποιῆσαι ὁ θεὸς τῷ Ἰωναθάν καὶ τάδε προσθείη.

the nation. He says, **דע הוהי סכב דעו וחישמ סויה הזה יכ אל סתאצמ ידיב המואמ**, “YHWH is witness against you, and his anointed is witness this day, that you have not found anything in my hand.” The Greek translator renders closely: **μάρτυς κύριος ἐν ὑμῖν καὶ μάρτυς χριστὸς αὐτοῦ σήμερον ἐν ταύτῃ τῇ ἡμέρᾳ ὅτι οὐχ εὐρήκατε ἐν χειρὶ μου οὐθέν** (1 Kgdms 12:5). Here God is called upon to vindicate Samuel, not to condemn him. Formally, however, even here God is a witness against a party: “YHWH is witness against you (**סכב**; but cf. LXX ἐν ὑμῖν).” That is, Samuel’s vindication consists in God’s condemning the Israelites if they should try to falsely accuse him. The only genuine exception, then, is Job 16:19, where Job protests his innocence to his friends, saying that God will vouch for his upright manner of life: **בג התע הנה מימשב ידע ידהשו מימורמב**, “Even now, behold, my witness is in heaven; my advocate is on high.” Likewise in Greek: **καὶ νῦν ἰδοὺ ἐν οὐρανοῖς ὁ μάρτυς μου, ὁ δὲ συνίστωρ μου ἐν ὑψίστοις** (Job 16:19 LXX). Here God is a witness for Job, not against him.¹⁶ Everywhere else, though, God is a witness between parties by being a witness against either party in case it should violate the agreement.¹⁷

Not surprisingly, this figure of speech endures after the biblical period, as well. So in the Testament of Levi (ca. second century B.C.E.), the dying patriarch charges his sons to live according to the law of the Lord. Upon their promise to do so, Levi names a series of witnesses to the vow: **μάρτυς κύριος, καὶ μάρτυρες οἱ ἄγγελοι αὐτοῦ, καὶ μάρτυς ἐγώ, καὶ μάρτυρες ὑμεῖς περὶ τοῦ λόγου τοῦ στόματος ὑμῶν**, “The Lord is witness, and his angels are witnesses, and I am witness, and you are witnesses concerning the word of your mouth” (T. Levi 19:3).¹⁸ In keeping with the biblical pattern, the point of these witnesses is that they can testify against the oath-takers in case they fail to make good on their promise. It is clear that the Israelite self-imprecatory oath has a rich biblical and post-biblical history. The question is whether, in our five passages, Paul participates in this history.¹⁹

16) The exception represented by Job 16:19, like the converse case of Euripides, Hipp. 1028-1031 (n. 10 above) shows that this is not simply a case of a Semitic idiom versus a Greek one.

17) On self-imprecatory oath formulae in the Hebrew Bible, see further Paul Sanders, “So May God Do To Me!” Bib 85 (2004) 91-98.

18) Greek text ed. Marinus de Jonge, *Testamenta xii patriarcharum* (2d ed.; PVTG 1; Leiden: Brill, 1970).

19) This assumption that he does so has raised questions about ethical positions on oath-taking in different quarters of the early Jesus movement. As is well known, both the Gospel of Matthew (5:34) and the Epistle of James (5:12) are sharply critical of oath-taking. If

2. The Pauline "God Is Witness" Sayings

In the epistolary opening of the Letter to the Romans, following the greeting, Paul begins with thanksgiving for the renowned faith of the believers in Rome.²⁰ It is in the context of this thanksgiving that he assures his hearers of their place in his prayers: *μάρτυς γάρ μου ἐστὶν ὁ θεός . . . ὥς ἀδιαλείπτως μνείαν ὑμῶν ποιοῦμαι*, "God is my witness . . . that unceasingly I remember you always in my prayers" (Rom 1:9). Paul names God as his *μάρτυς*, in this case with the simple copulative *ἐστὶν*; formally, this is a statement of fact, not an appeal. Also, *μάρτυς* is modified by the first person possessive pronoun; God is Paul's witness. The thing to which God is witness is Paul's constant remembrance of the Romans in prayer. This relation is expressed with *ὥς* plus an independent clause, where *ὥς* functions essentially like *ὅτι*, introducing the fact, not (as the English "how" might suggest) the degree of the sentiment expressed.²¹ In short, Paul expresses his desire to visit his hearers by informing them of the content of his prayers, concerning which God, who alone hears them, is the only qualified witness.

The "God is witness" saying in Phil 1:8 is very much like that in Rom 1:9. It, too, falls in the thanksgiving section of the epistolary opening and functions to verify the apostle's goodwill toward his hearers. Paul has great confidence in God's work among the Philippian believers (1:6), who are his co-participants in grace and whom he holds in his heart (1:7). In fact, Paul writes, *μάρτυς γάρ μου ὁ θεός ὥς ἐπιποθῶ πάντας ὑμᾶς ἐν σπλάγχνοις Χριστοῦ Ἰησοῦ*, "God is my witness that I long for you all in the affection of Christ Jesus" (1:8). Here, as in Rom 1:9, God is named as Paul's witness using the copulative and the possessive pronoun. Here, too, the thing attested is introduced by *ὥς* expressing "that-ness." In Phil 1:8, though,

the Pauline "God is witness" sayings are oaths, then apparently Paul either does not know, disagrees with, or fails to comply with this tradition (see, e.g., James D.G. Dunn, *Romans* 1-8 [WBC; Dallas: Word, 1988] 28). If these Pauline sayings are not oaths, though, then the observation is not really to the point.

20) On the Pauline thanksgivings generally, see Paul Schubert, *The Form and Function of the Pauline Thanksgivings* (Berlin: Töpelmann, 1939); and Peter T. O'Brien, *Introductory Thanksgivings in the Letters of Paul* (NovTSup 49; Leiden: Brill, 1977).

21) See BDAG, s.v. *ὥς* 5; LSJ, s.v. *ὥς* B.I; Smyth §§2577, 2578 c, 2579, 3000. Cf. Homer, *Od.* 5.423; *Andocides* 2.14; *Isocrates*, *Ad Nic.* 3; *Nic.* 10; *Big.* 11, 15; *Aeschines*, *Fals. leg.* 35; *Demosthenes*, *Timocr.* 139; *Thucydides* 3.88; 5.45; *Xenophon*, *Mem.* 1.1.1; *Cyr.* 5.4.20. For a discussion of the Pauline instances, see O'Brien, *Introductory Thanksgivings*, 214 n. 75.

the thing attested is not the content of a prayer but rather a particular emotion; God can testify that Paul feels profound affection for the believers in Philippi. Paul's emotions, like Paul's prayers, are things that God is in a unique position to know; therefore God is the appropriate witness to the claim.

First Thessalonians 2 contains a pair of "God is witness" sayings in close proximity. Following the epistolary introduction of 1:1-10, 1 Thess

2:1-12 comprises an extended defense of the uprightness of Paul's ministry in Thessalonica.²² He comments in some detail on the various virtues that he practiced and vices that he shunned while he was among the Thessalonians. For example, Paul says, so far from any error, uncleanness, or guile (2:3), he behaved like a nurse tending to her children (2:7). It is in this context that Paul makes a twofold denial in 2:5: Οὐτε γάρ ποτε ἐν λόγῳ κολακείας ἐγενήθημεν, καθὼς οἴδατε, "We did not ever come in a word of flattery, as you know"; οὐτε ἐν προφάσει πλεονεξίας, θεὸς μάρτυς, "nor [did we come] in a pretext of greed, God is witness." Here καθὼς οἴδατε, "as you know," and θεὸς μάρτυς, "God is witness," are parallel expressions. The Thessalonians can attest that Paul did not speak flatteringly, and God can attest that he harbored no secret hope of getting rich; the former because they heard Paul's words, and the latter because he knows Paul's motives.

Again in 1 Thess 2:10 Paul writes more generally, ὑμεῖς μάρτυρες καὶ ὁ θεός, ὡς ὁσίως καὶ δικαίως καὶ ἀμέμπτως ὑμῖν τοῖς πιστεύουσιν ἐγενήθημεν, "You and God are witnesses that we came to you believers in holiness and righteousness and blamelessness." Here God and the Thessalonians are co-witnesses to the same thing, namely the total uprightness of Paul's pattern of life among them. In 2:5 the designation of God as witness is syntactically independent, while in 2:10 we find the familiar ὡς plus independent clause expressing the thing attested. In neither case does Paul

22) There continues to be a lively debate whether 1 Thess 2:1-12 is an apologia in response to actual accusations brought by actual opponents (see the discussion among Karl P. Donfried, Rudolf Hoppe, Traugott Holtz, Johan S. Vos, Otto Merk, and Jeffrey A.D. Weima in *The Thessalonians Debate* [ed. Karl P. Donfried and Johannes Beutler; Grand Rapids: Eerdmans, 2000] 31-131). As Abraham Malherbe has shown, however, it is at least not necessarily so. Formally, 1 Thess 2:1-12 is very much along the lines of the self-presentations of the popular philosophers, and so may simply reflect a standard rhetorical means of communicating the teacher's goodwill toward his disciples (see Abraham J. Malherbe, "'Gentle as a Nurse': The Cynic Background to 1 Thessalonians 2," *NovT* 12 [1970] 203-217; idem, *The Letters to the Thessalonians* [AB 326; New York: Doubleday, 2000] 153-163).

use the first person possessive pronoun, as he does in Rom 1:9 and Phil 1:8, and in both cases God is a co-witness along with the addressees themselves.

It is fitting to discuss 2 Cor 1:23 last of all because of its formal differences from the other four sayings. Like them, it falls near the beginning of the letter, although (as in 1 Thessalonians) not technically in the epistolary introduction. On the heels of the introduction proper (1:1-11), Paul turns to explain his decision not to visit Corinth as he had originally planned. "I wanted to come to you first" (1:15), he assures the Corinthians, but the course of events has belied this intention, and the apostle's delinquency has apparently raised questions about his character. Is he guilty of *ἐλαφρία*, "vacillation," in his dealings with the Corinthians (1:17)? No, Paul insists, there was an honorable reason for his delay: *φειδόμενος ὑμῶν οὐκέτι ἦλθον εἰς Κόρινθον*, "in order to spare you I did not yet come to Corinth" (1:23). But it is not just the apostle's word against the Corinthians' suspicions in this matter. Paul prefaces his explanation with an invocation of a divine witness: *Ἐγὼ δὲ μάρτυρα τὸν θεὸν ἐπικαλοῦμαι ἐπὶ τὴν ἐμὴν ψυχὴν*, "I call upon God as witness upon my life that" concern for the Corinthians was the reason for the delay.

Despite the familiar "God is witness" motif, 2 Cor 1:23 differs from our other passages in several important respects. Only here does Paul formally invoke (*ἐπικαλοῦμαι*) God as *μάρτυς*, rather than simply identifying him as such.²³ Only here is the thing witnessed to introduced by *ὅτι* rather than *ὥς*.²⁴ As in 1 Thess 2:5, the thing attested is an intention or motive, something that the addressees had no way of knowing but that God did. Last of all, only in 2 Cor 1:23 is there a participial phrase qualifying *μάρτυς*, namely *ἐπὶ τὴν ἐμὴν ψυχὴν*, literally "upon my life." The translation of the preposition is a problem that bears heavily on the question of the meaning of the saying as a whole. Both the RSV and the NRSV, reading the verse as a self-imprecatory oath, translate *ἐπὶ* as "against."²⁵ The commentaries tend to agree. Frank Matera translates, "I call upon God as my witness—staking my life on this," and explains,

23) Cf. Lucian, *Phal.* 1.1: *καλῶ δὲ ὦν ἐρῶ τὸν θεὸν αὐτὸν μάρτυρα*, "I call upon the god himself as witness"; Josephus, *A.J.* 1.243: *ἐπικαλοῦνται τὸν θεὸν μάρτυρα*, "They call upon God as witness" (on both of which, see further below).

24) But on the negligible difference, see O'Brien, *Introductory Thanksgivings*, 214 n. 75.

25) "I call God to witness against me" (RSV); "I call on God as witness against me" (NRSV).

“The sense is that if Paul is speaking falsely, then let God take his life.”²⁶

Likewise Jan Lambrecht comments, “The clause means that he is willing to give his life in case he is not telling the truth.”²⁷

The formal differences from our other four passages are significant. The explicit invocation and, even more so, the self-referential participial phrase have been reason for many interpreters to read this verse as a variation on the Israelite self-imprecatory oath. But even these features are not decisive. The invocation *ἐπικαλοῦμαι* is not determinative, since it is attested in “God is witness” sayings that are not self-imprecatory oaths.²⁸ As for the participial phrase *ἐπὶ τὴν ἐμὴν ψυχὴν*, “upon my life,” it might mean “against my life” in the sense of “with my life at stake”; but it might equally well mean “concerning my life” in the sense of “concerning my way of life.”²⁹ If the latter, it would be entirely in keeping with the pattern we have observed elsewhere, in which the apostle calls God to testify, as only God can, that his moral character in relation to the churches is above reproach.³⁰

In light of these features of the Pauline “God is witness” sayings, while the oath interpretation has remained the dominant one, some interpreters have noticed that the category is not a perfect fit. Joseph Fitzmyer, in a note on Rom 1:9, writes, “His formulation echoes OT usage. . . . [but] in this case Paul is not using a conventional formula.”³¹ Likewise Earl Richard, commenting on 1 Thess 2:5, can find no biblical precedent for the Pauline formula. “Paul, in a Hellenistic manner, calls on God as the only witness to the missionaries’ interior motives.”³² But those who have noticed that the Pauline sayings do not fit the biblical pattern have not pursued the question further to identify a more fitting linguistic context for them. When such an inquiry is undertaken, however, it turns out that a fitting linguistic context presents itself.

26) Matera, II Corinthians, 57.

27) Jan Lambrecht, *Second Corinthians* (SacPag 8; Collegeville, Minn.: Liturgical Press, 1999) 30.

28) E.g., Lucian, *Phal.* 1.1, on which see further below.

29) For both senses of *ἐπὶ* with the accusative, see Smyth §1689 3.d.

30) The pattern established by the other four passages makes this reading of 2 Cor 1:23 compelling, in my view, but the possibility remains that it is an exception.

31) Joseph A. Fitzmyer, *Romans* (AB 33; New York: Doubleday, 1993) 245.

32) Earl J. Richard, *First and Second Thessalonians* (SacPag 11; Collegeville, Minn.: Liturgical Press, 1995) 81; but without further specifying the “Hellenistic manner” of Paul’s turn of phrase.

3. Divine Testimony in the Greco-Roman Rhetorical Tradition

As is well known, the testimony of witnesses (μάρτυρες) was a prominent feature of the Athenian legal system in which the forms of argument that would become hallmarks of Greco-Roman rhetoric were first developed.³³

The function of the μάρτυς was to stand and speak in verification of a claim made by the speaker who summoned him. So in the speeches the calling of the witness is often prefixed by ὅτι ταῦτ' ἀληθῆ λέγω, "To prove that I am telling the truth," or the like. One example from a forensic context is Lysias 1.29, where the defendant Euphiletus claims that the man he killed, Eratosthenes, had admitted his guilt in the presence of Euphiletus and his neighbors. In support of this claim, Euphiletus summons some of those who heard the confession: καὶ μοι ἀνάβητε τούτων μάρτυρες, "Will my witnesses to these things come forward" (29).³⁴ The words of the witnesses are not preserved in the text of Lysias; it is the fact of their testimony, the content of which is understood to be identical with the speaker's claim, that matters.

The summoning of witnesses is a standard feature not only of forensic but also of deliberative rhetoric. So, for example, in Demosthenes' *On the Crown*, Demosthenes levels a charge of treason at his opponent Aeschines, claiming that he was caught meeting with the Macedonian spy Anaxinus. Not content to let such a charge stand on its own, Demosthenes says, καὶ ὅτι ταῦτ' ἀληθῆ λέγω, κάλει μοι τούτων τοὺς μάρτυρας, "To prove that I am telling the truth, please call my witnesses of these things" (*De Cor.*

137).³⁵ Here, as in Lysias, the words of the witnesses are not preserved; the point is that they said what Demosthenes had said, thereby verifying it.

As this last example shows, witnesses can be and often are employed in settings in which the quality of a person's character is under consideration. Such cases are especially relevant for our purposes, since this is precisely the issue in all five Pauline "God is witness" sayings. A good example is Demosthenes, *De Cor.* 267-268, where Demosthenes demonstrates the

33) See the treatments of S.H. Humphreys, "Social Relations on Stage: Witnesses in Classical Athens," *History and Anthropology* 1 (1985) 313-369; David C. Mirhady, "Athens' Democratic Witnesses," *Phoenix* 56 (2002) 255-274. As happened with other features of classical Athenian rhetoric, this rhetorical practice was codified for purposes of rhetorical training and subsequently received as a feature of the rhetorical culture that flourished in Greco-Roman antiquity.

34) Greek text ed. Umberto Albin, *Lisia. I discorsi* (Florence: Sansoni, 1955).

35) Greek text ed. S.H. Butcher, *Demosthenis orationes* (3 vols.; Oxford: Clarendon, 1903; repr. 1966).

uprightness of his public life by recounting his many liturgies on behalf of the city. These he substantiates not by summoning live witnesses (μάρτυρες) but by having the clerk read written testimonies (μαρτυρία). After the μαρτυρία, the text of which has not come down to us, are read aloud, Demosthenes concludes plainly, Ἐν μὲν τοίνυν τοῖς πρὸς τὴν πόλιν τοιοῦτος, “Such is my character in matters pertaining to the city” (De Cor.

268). That is, the testimonies to his particular public services bear out his claim to be a beneficent person.

Greek μάρτυρες included not only live human beings and their written statements; the gods were thought to be as qualified, or more so, to give official testimony as people were.³⁶ The testimony of the gods often came in the form of oracles (μαντεῖαι or χρησμοί). So, for example, in Aeschines’ *Against Ctesiphon*, the speech to which Demosthenes’ *On the Crown* is a response, Aeschines relates a version of Demosthenes’ career that amounts to a litany of offenses against the people of Athens and the gods. In one place, Aeschines charges that Demosthenes sinned against Apollo by accepting a bribe from the people of Amphissa, who were illegally farming the plain of Cirra, a place that the Pythia at Delphi had said should lie fallow as consecrated ground. In support of this charge, Aeschines asks that the actual text of the oracle in question be read aloud in the assembly:³⁷ Ὅτι δ’ ἀληθῆ λέγω, ἀνάγνωθι τὴν τοῦ θεοῦ μαντείαν, “To prove that I am telling the truth, please read the oracle of the god” (In Ctes. 112).³⁸ That is, Aeschines invokes a divine testimony in oracular form, the authority of which is recognized by the assembly.

The earliest major rhetorical handbook, Aristotle’s *Rhetoric*, does not address the testimonies of the gods, but it does give pride of place to the “testimonies of the ancients.”³⁹ Under the heading of ἄτεχνοι πίστεις, “inartistic proofs,” Aristotle includes a section on μάρτυρες. These he groups into two classes, ancient and recent, the former being generally

36) See Donald B. King, “The Appeal to Religion in Greek Rhetoric,” *CJ* 50 (1955) 363-376.

37) In this case, the MSS actually preserve the text of an oracle at this point, but it is almost certainly a later addition borrowed from Pausanias’ account of the Cirra incident (Pausanias 10.37.6).

38) Greek text ed. V. Martin and G. de Budé, *Eschine. Discours*, vol. 2 (Paris: Les Belles Lettres, 1928; repr. 1962).

39) The relation of Aristotle’s handbook to the actual practice of the classical lawcourts is a difficult question, but see J.C. Trevett, “Aristotle’s Knowledge of Athenian Oratory,” *CQ* n.s. 46 (1996) 371-379.

more reliable than the latter and alone qualified to speak to the moral quality of an act:⁴⁰

περὶ δὲ μαρτύρων, μάρτυρές εἰσιν διπτοί, οἱ μὲν παλαιοὶ οἱ δὲ πρόσφατοι, καὶ τούτων οἱ μὲν μετέχοντες τοῦ κινδύνου οἱ δ' ἐκτός. λέγω δὲ παλαιούς μὲν τοὺς τε ποιητάς καὶ ὄσων ἄλλων γνωρίμων εἰσὶν κρίσεις φανεραί.

Concerning witnesses: Witnesses are of two kinds: ancient and recent; and of the latter, some share the risk [of being brought to trial] while others do not. I call "ancient witnesses" the poets and any other well-known persons whose judgments are clear. (Aristotle, *Rhet.* 1.15.13)

καὶ οἱ μετέχοντες τοῦ κινδύνου, ἂν δόξωσι ψεύδεσθαι. οἱ μὲν οὖν τοιοῦτοι τούτων μόνον μάρτυρές εἰσιν, εἰ γέγονεν ἢ μή, εἰ ἔστιν ἢ μή, περὶ δὲ τοῦ ποῖον οὐ μάρτυρες, οἷον εἰ δίκαιον ἢ ἄδικον, εἰ συμφέρον ἢ ἀσύμφορον· οἱ δ' ἄπωθεν περὶ τούτων πιστότεροι, πιστότατοι δ' οἱ παλαιοί· ἀδιάφθοροι γάρ.

There are some [recent witnesses] who share the risk [of being brought to trial], if they should appear to perjure themselves. Such persons are only witnesses of whether or not something has happened, that is, whether or not something is the case; they are not witnesses to the quality of the act—of whether it was just or unjust, or whether it conferred advantage or not. On such matters, outsiders are more credible witnesses, and ancient ones the most credible; for they are incorruptible. (*Ibid.*, 1.15.16-17)

Ideal ancient witnesses, Aristotle explains, are figures like Homer and Solon, "well-known persons whose judgments are clear." Such figures are wise enough in their own right and distant enough from the events of a case to give trustworthy judgments on the quality of acts. They are especially qualified to act as witnesses because they are ἀδιάφθοροι, "incorruptible." What Aristotle calls παλαιοὶ μάρτυρες, "ancient witnesses," the first-century C.E. Roman rhetorician Quintilian calls *auctoritates*, "authorities," and among them he expressly includes *divina testimonia*, "the testimonies of the gods." Quintilian writes:⁴¹

Ponitur a quibusdam, et quidem in parte prima, deorum auctoritas, quae est ex responsis, ut "Socraten esse sapientissimum." Id rarum est, non sine usu tamen. . . . Quae cum propria causae sunt, divina testimonia vocantur, cum aliunde arcessuntur, argumenta.

40) Greek text ed. W.D. Ross, *Aristotelis ars rhetorica* (Oxford: Clarendon, 1959; repr. 1964).

41) Latin text ed. Michael Winterbottom, *M. Fabi Quintiliani Institutionis oratoriae libri duodecim* (2 vols.; Oxford: Clarendon, 1970).

Under this head, and even as the first item, some put the authority of the gods, which is derived from oracles, like the one that said that Socrates was the wisest of people [Plato, *Apol.* 21A]. This is rare, but nevertheless useful.... When these belong to the cause, they are called “divine testimonies”; when adduced from elsewhere, they are “arguments.” (Quintilian, *Inst.* 5.11.42)

Lest the clarity of the *divina testimonia* be obscured by haphazard appeals not only to oracles but also to augury, astrology, and other types of less controlled divination, Quintilian codifies the practice, which had been in effect at least since the time of Demosthenes, whereby divine testimony is officially admissible and rhetorically persuasive in the lawcourt and in the assembly.⁴²

In light of the evidence of both the speeches and the handbooks, it is possible to draw a few conclusions about the divine testimony motif in the Greek rhetorical tradition. While it is by no means monolithic, certain recognizable features do emerge. The speeches and the handbooks jointly suggest first, the prominence of witnesses generally in the Greek rhetorical tradition, second, their special use in establishing the good or bad character of a speaker, and third, the particular status accorded to ancient and divine testimonies in such cases. Only in the context of this history can we explain the continued use of divine witness language in the Hellenistic and Roman periods.

42) Elsewhere Quintilian addresses the problem of evaluating *divina testimonia*, distinguishing different types and corresponding manners of treatment: *His adicere si qui volet ea quae divina testimonia vocant, ex responsis oraculis ominibus, duplicem sciat esse eorum tractatum: generalem alterum, in quo inter Stoicos et Epicuri sectam secutos pugna perpetua est regaturne providentia mundus, specialem alterum circa partis divinationum, ut quaeque in quaestionem cadet. Aliter enim oraculorum, aliter haruspicum augurum coniectorum mathematicorum fides confirmari aut refelli potest, cum sit rerum ipsarum ratio diversa.* “If anyone wishes to add what are called ‘divine testimonies’—from responses, oracles, and omens—he should know that there are two ways of handling these: a general treatment, including the perpetual dispute between the Stoics and the Epicureans as to whether the world is governed by providence, and a special treatment relevant to the type of divination that pertains to the question. Trustworthiness is either confirmed or disproved in one way for oracles, in another way for soothsayers, another for augurs, another for diviners, and another for astrologers, because the principles of the things themselves are different.” (*Inst.* 5.7.35-36)

4. Divine Testimony in Hellenistic- and Roman-Period Literature

Almost 400 years separate Demosthenes from Paul, the orator from the apostle, but many rhetorical patterns of language survived, even thrived, from the classical into the Hellenistic and Roman periods.⁴³ So it is in the case of the divine testimony motif. Pagan authors certainly continued to make use of it.⁴⁴ For example, at the beginning of Lucian's *Phalaris*, the emissaries of the notorious tyrant deliver a message to the men of Delphi, wherein Phalaris defends what sort of person he is (ὁποῖός εἰμι) against what he insists are slanderous rumors.⁴⁵ In this context, Lucian has Phalaris call Apollo as witness: καλῶ δὲ ὦν ἐρῶ τὸν θεὸν αὐτὸν μάρτυρα, "I call the god himself as witness to the things I am about to say" (*Phal.* 1.1), namely, that Phalaris is not as wicked a person as he is reputed to be.⁴⁶

By the beginning of the common era, however, the "God is witness" motif appears rather less frequently in pagan authors like Lysias and increasingly frequently in their Jewish and Christian counterparts.⁴⁷ By the time of Paul, it is already a Jewish literary commonplace to speak of God as a witness in matters relating to character, because in such matters

43) The long afterlife of the classical rhetorical tradition has been well documented by George A. Kennedy, *Classical Rhetoric and Its Christian and Secular Tradition from Ancient to Modern Times* (2d ed.; Chapel Hill, N.C.: University of North Carolina Press, 1999).

44) The idiom at Polybius 11.6.4 (ὁμῆϊς δὲ τότε τοὺς θεοὺς ἐπικαλέσασθε μάρτυρας, ὅταν μήτε τῶν θεῶν βούληται μήτε τῶν ἀνθρώπων ἔτι δύνηται βοηθεῖν ὑμῖν μηδεὶς, "Then you will call upon the gods as witnesses, when no god is willing, and no person able any longer to help you" [Greek text ed. Ludwig August Dindorf and Theodorus Büttner-Wobst, *Polybii Historiae* (Stuttgart: Teubner, 1967-1985)]), while related, is not directly relevant here, since there "witness" has the sense of "helper," "witness of the wrongs one is suffering."

45) Greek text A.M. Harmon, *Lucian*, vol. 1 (Cambridge, Mass.: Harvard University Press, 1913; repr. 1961).

46) Cf. 2 Cor 1:23: Ἐγὼ δὲ μάρτυρα τὸν θεὸν ἐπικαλοῦμαι, "I call upon God as witness."

47) This is not to say that forensic rhetoric, or rhetoric as a whole, fell out of use in the Roman period. In particular, that there are relatively fewer extant forensic speeches from that period has to do with the differences between the legal systems of classical Athens and imperial Rome (on this see, e.g., Malcolm Heath, *Menander: A Rhetor in Context* [Oxford: Oxford University Press, 2004]). For the persistence of the "God is witness" motif in forensic rhetoric of the Roman period, see Cicero's warning that a magistrate must not violate justice by ruling in favor of a friend if the friend is guilty: Cum vero iurato sententia dicenda erit, meminerit deum se adhibere testem, "When he delivers the verdict under oath, he should remember to summon the god himself as witness" (*Off.* 3.10.44 [Latin text ed. C.F.W. Müller, *M. Tullii Ciceronis Scripta quae manserunt omnia recognovit* (Leipzig: Teubner, 1879)]).

only God is a qualified witness. We find the idea in the para-scriptural Jewish literature of the first century B.C.E. The early chapters of the Wisdom of Solomon praise personified Wisdom for all her virtues. So, for example, Wis 1:6: “Wisdom is a kindly spirit, and will not free the blasphe- mer from his words.” This is so, the sage explains, because τῶν νεφρῶν αὐτοῦ μάρτυς ὁ θεὸς καὶ τῆς καρδίας αὐτοῦ ἐπίσκοπος ἀληθῆς καὶ τῆς γλώσσης ἀκουστής, “God is the witness of his inmost thoughts, and the true overseer of his heart, and the hearer of his tongue.” That is, Wisdom is a just judge because God is a trustworthy witness. Whether this bit was originally composed in Hebrew or in Greek, formally this is classic Hebraic parallelismus membrorum, where the three phrases are mutually interpre- tive.⁴⁸ For God to be the μάρτυς τῶν νεφρῶν means that he is uniquely qualified to be a character witness, to vouch for or against the thoughts and intentions of the human heart.⁴⁹

The great Jewish writers of the first century C.E. attest the motif, as well. In his treatise On Drunkenness, Philo explains that Moses speaks of wine figuratively to represent five different conditions (folly, insensibility, greed, cheerfulness, and nakedness), which Philo expounds in turn. In the section on folly, Philo considers God’s command to Aaron and his sons not to drink wine when they enter the tabernacle, lest they die (Lev 10:9). The tabernacle, Philo explains, represents the idea of virtue generally, and the altar particular virtues. But why, Philo wonders, is the tabernacle sometimes called σκηνὴ μαρτυρίου, the tent of witness? Perhaps, he sug- gests, because ὁ ἀψευδὴς θεὸς ἀρετῆς ἐστὶ μάρτυς, “God who does not lie is the witness of virtue” (Ebr. 139).⁵⁰ The ascription μάρτυς ἀρετῆς, “wit- ness of virtue,” which appears nowhere in the LXX with reference to God (or anyone else, for that matter), is nevertheless very much at home in the thought of Philo.

Philo is not alone in thinking of God as the μάρτυς ἀρετῆς. In a very different context, at the conclusion of Against Apion, Josephus summarizes all that he has said to vindicate the Jews from the slanderous charges of

48) For a thorough discussion concluding in favor of an entirely Greek original, see David Winston, *The Wisdom of Solomon* (AB 43; New York: Doubleday, 1979) 14-18.

49) Cf. Acts 15:8 (but without the formulaic θεὸς μάρτυς), where Peter says of the newly added Gentile believers, ὁ καρδιογνώστης θεὸς ἐμαρτύρησεν αὐτοῖς δοῦς τὸ πνεῦμα τὸ ἅγιον καθὼς καὶ ἡμῖν, “God who knows the heart bore witness for them, giving them the holy spirit just as he did us.”

50) Greek text ed. P. Wendland, *Philonis Alexandrini opera quae supersunt* (Berlin: Reimer, 1897; repr. De Gruyter, 1962).

their detractors. They say, among other things, that Moses was a vulgar person. But, Josephus counters, Moses has for his own μάρτυς ἀρετῆς, first of all God and also time itself: τῷ δὲ τῆς ἀρετῆς πάλαι μὲν ὁ θεός, μετ' ἐκεῖνον δὲ μάρτυς ὁ χρόνος εὔρηται γεγεννημένος, "Of [Moses'] virtue, from of old, God, and after him, time, is found to be witness" (C. Ap. 2.290).⁵¹

That is, God is not only the μάρτυς ἀρετῆς in general, but the witness of Moses' ἀρετή, in particular, when it is called into question.

In addition, Josephus frequently speaks of God as witness in matters of good or bad character, even in the absence of the word ἀρετή. At A.J.

5.113, in Josephus' retelling of the Israelite occupation of Canaan, the Reubenites, Gadites, and Menassites protest that the altar they have built is not an alternative altar from the one in the tabernacle but simply a non-functioning copy, a memorial identifying them with their kinfolk across the Jordan (cf. Josh 22:21-29). That such was their reason for building the altar, they say, μάρτυς . . . γένοιτο ὁ θεὸς ἀξιόχρεως, "may God be a sufficient witness" (Ant. 5.113). Josephus is unique in using the optative "may God be" here, but the content is very much in keeping with what we have seen so far. There is a moral question concerning the αἰτία, "motive," of the three tribes in building the altar. Only God can, and in fact God does, attest their righteous intention in the matter.

Again, book 1 of the War includes an account of a conspiracy by Pheroras and Anitpater to poison Herod the Great. After Pheroras has died and Herod learns of the failed plan, the king interrogates Pheroras' widow. Terrified, the woman pleads for an honest hearing from the king and from θεὸς ὁ μάρτυς ἔμοι τῆς ἀληθείας πλανηθῆναι μὴ δυνάμενος, "God the witness to the truth of my words who cannot be deceived" (B.J.

1.595)." God is an ideal witness because he cannot be deceived; one thinks here of Aristotle, Rhet. 1.15.17, where ancient witnesses are ideal because they are ἀδιάφθοροι, "incorruptible." Similarly, a bit later on in the same story, Antipater's last words before his execution are: θεὸς ἐστίν μοι τοῦ μηδὲν ἀδικεῖν μάρτυς, "God is my witness that I have done no wrong" (B.J. 1.639).

In one place Josephus even calls God to be his own μάρτυς ἀρετῆς, when his ἀρετή appears to be suspect. The famous scene in the War in which Josephus evades his part in the suicide pact at Jotapata begins with Josephus' prayer to God agreeing to surrender to the Romans. Since God

51) For Josephus, I follow the Greek text of B. Niese, *Flavii Iosephi opera* (Berlin: Weidmann, 1895; repr. 1955).

has abandoned the Jews, and since he has chosen Josephus as his prophet to the Romans, Josephus agrees with God to go ahead and surrender to Nicanor. But, he adds in haste, μαρτύρομαι δὲ ὡς οὐ προδότης, ἀλλὰ σὸς εἶμι διάκονος (B.J. 3.354). Thackeray translates aptly, “I take thee to witness that I go, not as a traitor, but as thy minister.”⁵² While it is possible, in theory, for μαρτύρομαι to have a simple middle sense, “I testify concerning myself,” in practice it almost always has the technical meaning, “I call to witness.”⁵³ That is, the subject of the verb does not himself testify; rather, he summons someone else to do so. In Josephus’ case, the verb is addressed to God. Josephus calls God to witness to his righteous motives in this (admittedly morally questionable) act. God is his μάρτυς ἀρετῆς.

There is, however, one exception in Josephus to the pattern we have identified. At A.J. 1.243, where Josephus tells the story of Abraham’s sending a servant to secure a wife for Isaac (Gen 24:1-9), he briefly explains the Israelite custom of swearing an oath by placing one’s hand under the thigh of the other party. With their hands so placed, Josephus says, ἐπικαλοῦνται τὸν θεὸν μάρτυρα τῶν ἐσομένων, “they invoke God as witness to the things they are about to do” (A.J. 1.243). Significant for our purposes is that Josephus speaks of God as witness in the setting of an Israelite oath. But in keeping with biblical usage, and unlike the Pauline sayings, in this oath setting God is called as witness to future acts (τῶν ἐσομένων) that are promised by the parties involved. This exception, then, tends to confirm rather than undermine the rule.

We know, too, that this motif is still in use well after the first century C.E. It is attested twice in the third-century C.E. Pseudo-Clementine Homilies. In the second homily, Nicetas assures Clement that he and Aquila, although they accompanied the wicked Simon, they were not party to any of his evil deeds. Nicetas insists, μάρτυς ὁ θεὸς ὡς οὐδὲν αὐτῷ ἡμεῖς συνειργασάμεθα ἀσεβές, “God is witness that we committed no impiety together with him” (Ps.-Clem. 2.27).⁵⁴ The thirteenth homily consists largely of a long speech by Peter on chastity. In the conclusion to this speech, Peter compares adultery to murder, arguing that the former is a worse sin than the latter. In support of this claim he says, μάρτυς θεός, πολλοὶ φόνοι μοιχεία μία, “God is witness, many murders are like one act

52) Henry St. John Thackeray, *Josephus* (9 vols.; LCL; Cambridge, Mass.: Harvard University Press, 1961-1967) ad loc.

53) See LSJ, s.v. μαρτύρομαι.

54) Greek text ed. J. Irmscher, F. Paschke, and B. Rehm, *Die Pseudoklementinen I. Homilien* (2d ed.; GCS 42; Berlin: Akademie Verlag, 1969).

of adultery" (Ps.-Clem. 13.19). Here it is not Peter's own morals, but rather a question of moral principle, to which God is called to testify.

In the mid-fourth century C.E., in a very different religious milieu, the emperor Julian wrote a Hymn to the Mother of the Gods, an ode to the Phrygian Cybele who was worshiped by the Romans as *Magna Mater*.⁵⁵ At the end of the hymn, the emperor excuses himself for breaking off the discourse where he does: "What then remains for us to say? Especially since it was permitted me to compose this in a breath, in a short part of a night, having neither done prior reading nor researched the subject, nor even intended to speak on these matters before asking for these writing tablets. The goddess is witness of what I say (μάρτυς δὲ ἡ θεὸς μοι τοῦ λόγου)" (Or.

5.19).⁵⁶ Lest the reader think that Julian left off where he did for some irresponsible reason, he protests that he wrote the whole thing in the space of a night with no prior preparation. But how can the reader know this? The goddess, the *Magna Mater*, is witness to what he says.

It is perhaps no surprise to find Julian, that great enthusiast of classical culture, employing this idiom of classical rhetoric. It might be less obvious to some why the apostle Paul should do so. But when we find the motif in the Jewish tradition before Paul, other Jewish writers contemporary with Paul, and Christian authors after Paul, a rhetorical context emerges in which the Pauline sayings fit quite naturally. In this rhetorical context, that of the Greco-Roman divine testimonies, the speaker names the god as a witness on his behalf. It is therefore the god, not the speaker, who swears.

5. Conclusion

In closing, it is clear first of all that, the history of interpretation notwithstanding, the self-imprecatory oath is a poor fit for the rhetorical context of the Pauline "God is witness" sayings. In all five instances, the apostle's time reference is past rather than future. In no case does he promise to fulfill some course of action; rather, he insists upon the uprightness of his past behavior. In no case is God a witness between parties or against a

55) On Julian's association with the cult of Cybele, see Rowland Smith, *Julian's Gods: Religion and Philosophy in the Thought and Action of Julian the Apostate* (London: Routledge, 1995), esp. chs. 5-6.

56) Greek text ed. G. Rochefort, *L'empereur Julien. Oeuvres complètes*, vol. 2.1 (Paris: Les Belles Lettres, 1963).

party; God is always a witness for the apostle. It is equally clear, however, that the Greek rhetorical tradition of divine testimonies, as it was received and adapted in Judaism of the Hellenistic and Roman periods, is a very plausible rhetorical context for these sayings. For Paul, as for Demosthenes, Aristotle, Philo and Josephus, when the moral quality of an act or intention is in question, a speaker may rightly appeal to the testimony of God, the only truly incorruptible witness, that he is in the right. In such appeals, Paul is not swearing anything; rather he is inviting God to swear concerning him.

To put it differently, “God is witness” is close in meaning to another Pauline expression that appears in similar contexts: “God knows.” An example is 2 Cor 11:11, where Paul expresses his affection for the troublesome saints in Corinth, saying, διὰ τί; ὅτι οὐκ ἀγαπῶ ὑμᾶς; ὁ θεὸς οἶδεν, “Why? Because I do not love you? God knows [that I do].” That is, though some might doubt whether Paul really loves his Corinthian auditors, God knows that he does, and God’s knowing it verifies that it is so. Again, a bit further on in the same chapter, Paul relates a litany of personal weaknesses in which he ironically boasts. Lest this litany sound somehow contrived, though, Paul prefaces it thus: ὁ θεὸς καὶ πατὴρ τοῦ κυρίου Ἰησοῦ οἶδεν, ὁ ὢν εὐλογητὸς εἰς τοὺς αἰῶνας, ὅτι οὐ ψεύδομαι, “The God and father of the lord Jesus, who is blessed forever, knows that I am not lying” (2 Cor 11:31).⁵⁷

This is not to say that Paul never takes an oath, nor that he does not invoke the name of God in self-imprecation.⁵⁸ Rather, what I have shown in this article is that, in the five places at which Paul names God as his

57) Cf. 2 Cor 5:11: θεῷ δὲ πεφανερώμεθα· ἐλπίζω δὲ καὶ ἐν ταῖς συνειδήσεσιν ὑμῶν πεφανερῶσθαι, “We are known to God, and I hope we are also known to your consciences.” Conscience, like God, is a qualified witness to such claims in Paul, as in Rom 9:1 (Ἀλήθειαν λέγω ἐν Χριστῷ, οὐ ψεύδομαι, συμμαρτυροῦσης μοι τῆς συνειδήσεώς μου ἐν πνεύματι ἁγίῳ, “I am telling the truth in Christ, I am not lying, as my conscience also bears witness in the holy spirit”) and 2 Cor 1:12 (τὸ μαρτύριον τῆς συνειδήσεως ἡμῶν, ὅτι ἐν ἀπλότητι καὶ εἰλικρινείᾳ τοῦ θεοῦ . . . ἀνεστράφημεν ἐν τῷ κόσμῳ, περισσοτέρως δὲ πρὸς ὑμᾶς, “the witness of our conscience that we conducted ourselves in the world, and even more so toward you, with generosity and godly sincerity”).

58) Gal 1:20 may be such an expression. There Paul protests that he did not receive his apostolic commission from the pillars in Jerusalem, having visited Cephas and James only briefly. He then adds, ἃ δὲ γράφω ὑμῖν, ἰδοὺ ἐνώπιον τοῦ θεοῦ ὅτι οὐ ψεύδομαι, “In what I am writing you, look, before God, I am not lying.” Because ἐνώπιον plus genitive is sometimes used in oath formulae (e.g., with ὀρκίζω at 4 Kgdms 11:4), it is possible that this is an oath in the strict sense, albeit elliptically expressed.

witness, this is not what he is doing. Rather, Paul is participating in a rhetorical tradition as old as the Athenian assembly, one that took on a particularly monotheistic cast in the Jewish literature of the Hellenistic and Roman periods, and survived for centuries thereafter. For Paul, the God of Israel is the μάρτυς ἀρετῆς, the one uniquely qualified to vouch for one's character when it is in question.